UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,765	02/15/2001	Rudiger Hausmann	GR-00-P-1290	8847

24131   7590   05/06/2004

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EXAMINER
ZHONG, CHAD

ART UNIT	PAPER NUMBER
2154	5

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

●		Application No. ● 09/784,765	Applicant(s) HAUSMANN ET AL.
Office Action Summary		Examiner Chad Zhong	Art Unit 2154	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _15 February 2001_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-24_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-24_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☒ All b)☐ Some * c)☐ None of:
      1.☒ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-24 are presented for examination.

2.   It is noted that although the present application does contain line numbers in specification and

claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is

to number each line of every claim, with each claim beginning with line 1. For ease of reference by both

the Examiner and Applicant all future correspondence should include the recommended line numbering.

3.   The specification is objected to as failing to provide proper antecedent basis for the claimed

subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

Claim 10, adding supplementary information in a different language.

Claim Rejections - 35 USC § 112, second paragraph

4.   Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to

particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a.   The claim language in the following claims is murky or not clearly understood:

i.   As per claim 1, line 3, it is not clearly understood whether "a message" refers to "a message"
in claim 1, line 1 (i.e. if they are the same, the word such as "said" or "the" must
be used);

ii.   As per claim 10, line 3, it is not clearly understood whether "a different language" refers
to "a different language" in claim 10, line 2 (i.e. if they are the same, the word such as "said" or
"the" must be used).

iii.   As per claim 20 using parentheses makes the claim indefinite, the Examiner does not
know whether the information in the parentheses is a part of limitation. Appropriate correction is
required.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis

for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United
States before the invention thereof by the applicant for patent, or on an international application by another who has
fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by
the applicant for patent.

6.   Claims 1-2, 6-7, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Ono, US

6,219,831.

7.   As per claim 1, Ono teaches a method of transmitting a message having a given message format,

which comprises:

prior to a start of a transmission of a message, setting up a connection between a gateway and a rule

database having stored therein a set of conversion and processing rules (Col. 2, line 66 – Col. 3, line 9);

starting a selection routine for defining an applicable conversion and processing rule set from the set

of conversion and processing rules for conversion of the message format (Col. 3, lines 10-21);

forming a conversion control signal from the conversion and processing rule set (Col. 3, lines 18-21,

lines 36-43; Col. 5, lines 12-15, lines 27-40);

buffer-storing the conversion and processing rule set or the control signal in the gateway (Col. 10,

lines 10-14); and

converting the message format in accordance with the conversion rule in the gateway (Col. 10, lines

10-14; Col. 5, lines 27-40).

8.   As per claim 2, Ono teaches the method according to claim 1, which comprises transmitting the

message to a terminal in a data communications network (Col. 1, lines 33-36).

9.   As per claim 6, Ono teaches the method according to claim 2, which comprises performing the

steps of setting up and starting the selection routing when a session is being set up in the data

communications network (Col. 3, lines 10-21; Col. 5, lines 27-40).

10.   As per claim 7, Ono teaches the method according to claim 1, wherein the rule database has

stored therein sets of organized conversion and processing rules for linked execution of conversion and

processing steps (Col. 5, lines 12-14, lines 27-40).

11.   As per claim 13, Ono teaches the method according to claim 1, wherein the converting step

comprises converting at least a part of the message between HTML format and WML format (Abstract,

lines 19-21).

Claim Rejections - 35 USC § 103

12.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such
> that the subject matter as a whole would have been obvious at the time the invention was made to a person having
> ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in
> which the invention was made.

13.   Claims 3-5, 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono, US

6,219,831 in view of 'Official Notice'.

14.   As per claim 3, Ono does not explicitly teach the method according to claim 2, which comprises

transmitting the message to an IP network. However 'Official Notice' is taken by the Examiner

that an IP network is notoriously well known and expected in the art. It would have been obvious to one

of ordinary skill in the art to include an IP network with Ono because doing so would provide an efficient

protocol to be used on a network environment. Further, Ono suggested a distributed network

environment on Col. 1, lines 34-37, thus rendering an IP network obvious in this case.

15.   As per claim 4, Ono does not explicitly teach the method according to claim 1, which comprises

transmitting the message from a data communications network to a telecommunications network.

However 'Official Notice' is taken by the Examiner that inter network communication is notoriously well

known and expected in the art. It would have been obvious to one of ordinary skill in the art to include an

inter network communication between two different network mediums with Ono because doing so would

provide an efficient transportation process between various mediums. Further, Ono suggested a istributed

network environment on Col. 1, lines 34-37, thus rendering inter network communications between two

or more devices obvious in this case.

16.   As per claim 5, claim 5 is rejected for the same reasons as rejection to claims 3 and 4 above.

17.   As per claim 11, Ono does not explicitly teach the method according to claim 2, wherein the

converting step comprises converting an addressed IP address involved with the transmission process in

the data communications network. However 'Official Notice' is taken by the Examiner that conversion of

IP addresses is notoriously well known and expected in the art. It would have been obvious to one of

ordinary skill in the art to include an IP address conversion between two different network mediums with

Ono because doing so would provide expected inter domain gateway functionalities, this is due to the fact

that gateways has the well known functionality of IP address conversion in between various domains.

Further, Ono suggested language conversion between at least two network devices in a network

environment on Col. 1, lines 34-37, IP is a protocol realized by programmable languages, thus conversion

of languages renders the conversion of IP addresses obvious to one of ordinary skill in the art at the time

of the invention.

18.   As per claim 12, claim 12 is rejected for the same reasons as rejection to claim 11 above.

19.   Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono, US

6,219,831 in view of Loeb et al. (hereinafter Loeb), US 2004/0078273, in further view of 'Official

Notice'.

20.   As per claim 8, Ono teaches the method according to claim 1, which comprises processing the

selection routine with a selection data record including data selected from the group consisting of:

user data (Col. 3, lines 7-21);

an identification of one of a number of permissible carrier media or transmission paths to the

terminal (Col. 3, lines 7-21); and

general selection criteria, and specific selection criteria predetermined by an operator of the gateway
(Col. 3, lines 7-21).

21.   Ono does not teach:

a data communications network or telecommunications network address of the terminal;

an identification of a dialing-in point or a geographical dialing-in location into the data

communications network, or of the location of a terminal in the telecommunications network;

a data communications network address of the message source;

real-time data;

22.   Loeb teaches:

a data communications network or telecommunications network address of the terminal (pg 4, [0054],

[0059]);

an identification of a dialing-in point or a geographical dialing-in location into the data

communications network, or of the location of a terminal in the telecommunications network (pg 4,

[0054], [0059], [0061]-[0063]);

a data communications network address of the message source (pg 4, [0059]);

23.   It would have been obvious to one of ordinary skill in this art at the time of invention was made

to combine the teaching of Ono and Loeb because they both dealing with retrieval of information from

databases. Furthermore, the teaching of Loeb to allow a data communications network or telecommunications

network address of the terminal; an identification of a dialing-in point or a geographical dialing-in location into

the data communications network, or of the location of a terminal in the telecommunications network; a data

communications network address of the message source would improve the identification capabilities for

Ono's system by explicitly differentiate the location of source of messages and their respective addresses.

24.   Ono and Loeb does not explicitly teaches real-time data. However 'Official Notice' is taken by

the Examiner that real time data is notoriously well known and expected in the art. It would have been

obvious to one of ordinary skill in the art to include real time data communications between two different

network mediums with Ono because doing so would provide an improved response time between various

devices. Further, real time programs are subject to network delays, normally the program would run real

time on the end devices and network delays and congestion renders the real time capability under optimal

performance.

25.   As per claim 9, Ono teaches the method according to claim 8, wherein the step of processing the

selection routine comprises calling up an individual user profile based on at least one of the user data and

the data communications network or telecommunications network address of the terminal (Col. 5, lines

28-40; Col. 3, lines 7-21).

26.   Claims 14-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono, US

6,219,831 in view of Loeb et al. (hereinafter Loeb), US 2004/0078273.

27.   As per claim 10, Ono teaches the method according to claim 1, wherein the converting step

comprises one of translating into a different language (Abstract, lines 19-21).

28.   Ono does not teach adding supplementary information in a different language.

29.   Loeb teaches adding supplementary information in a different language (pg 4, [0054], [0059], [0061]-[0063]).

30.   As per claim 14, Ono does not teache the method according to claim 1, which comprises, in addition to converting the message format, adding supplementary information or reducing the message by predetermined parts.

31.   Loeb teaches the method according to claim 1, which comprises, in addition to converting the message format, adding supplementary information or reducing the message by predetermined parts (pg 4, [0054], [0059], [0061]-[0063]).

32.   It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Ono and Loeb because they both dealing with retrieval of information from databases. Furthermore, the teaching of Loeb to allow adding supplementary information or reducing the message by predetermined parts would improve the functionalities for Ono's system by adding additional data or inhibit viewing of certain supplementary data.

33.   As per claim 15, Ono does not teach the method according to claim 14, wherein the supplementary information and the predetermined parts of the message is advertising information.

34.   Loeb teaches the method according to claim 14, wherein the supplementary information and the predetermined parts of the message is advertising information (pg 4, [0054], [0059], [0061]-[0063]).

35.   It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Ono and Loeb because they both dealing with retrieval of information from

databases. Furthermore, the teaching of Loeb to allow wherein the supplementary information and the

predetermined parts of the message is advertising information would improve the functionalities for

Ono's system by adding additional advertising data towards the message thus generating additional

revenue.

36.   As per claim 16, Ono does not teach the method according to claim 15, wherein the

supplementary information is included in a portal site produced on a user-related basis and presented

before the transmission of the message, is overlaid as an advertising banner, are video picture sequences

or chat windows for on-line communication.

37.   Loeb teaches the method according to claim 15, wherein the supplementary information is

included in a portal site produced on a user-related basis and presented before the transmission of the

message, is overlaid as an advertising banner, are video picture sequences or chat windows for on-line

communication (pg 4, [0054], [0059], [0061]-[0063]).

38.   It would have been obvious to one of ordinary skill in this art at the time of invention was made

to combine the teaching of Ono and Loeb because they both dealing with retrieval of information from

databases. Furthermore, the teaching of Loeb to allow wherein the supplementary information is

included in a portal site produced on a user-related basis and presented before the transmission of the

message, is overlaid as an advertising banner, are video picture sequences or chat windows for on-line

communication would improve the functionalities for Ono's system by adding additional advertising data

towards the message thus generating additional revenue.

39.   As per claim 17, Ono and Loeb does not explicitly teach the method according to claim 14,

wherein the supplementary information is selected from the group consisting of tariff information and

info-push information. However 'Official Notice' is taken by the Examiner that an tariff information and

info-push information is notoriously well known and expected in the art as a part of advertising

information. It would have been obvious to one of ordinary skill in the art to include tariff and info-push

information with Ono and Loeb because doing so would provide additional advertising capabilities.

Further, advertising information covered in Loeb is inclusive of tariff and info-push information.

40.   As per claim 18, Ono does not teach the method according to claim 14, wherein the step of

reducing by predetermined parts comprises essentially completely inhibiting transmission of an entire

message.

41.   Loeb teaches the method according to claim 14, wherein the step of reducing by predetermined

parts comprises essentially completely inhibiting transmission of an entire message (pg 5, [0064]-[0069]).

42.   It would have been obvious to one of ordinary skill in this art at the time of invention was made

to combine the teaching of Ono and Loeb because they both dealing with retrieval of information from

databases. Furthermore, the teaching of Loeb to allow wherein the step of reducing by predetermined

parts comprises essentially completely inhibiting transmission of an entire message would improve the

functionalities and security capabilities for Ono's system by allowing certain parts of message or website

to be displayed.

43.   As per claim 19, Ono does not teach the method according to claim 14, wherein the step of

reducing by predetermined parts comprises inhibiting a transmission of a complete IP network site.

44.   Loeb teaches the method according to claim 14, wherein the step of reducing by predetermined

parts comprises inhibiting a transmission of a complete IP network site (pg 5, [0064]-[0069]).

45.   It would have been obvious to one of ordinary skill in this art at the time of invention was made

to combine the teaching of Ono and Loeb because they both dealing with retrieval of information from

databases. Furthermore, the teaching of Loeb to allow wherein the step of reducing by predetermined parts comprises inhibiting a transmission of a complete IP network site would improve the functionalities and security capabilities for Ono's system by allowing certain parts of message or website to be displayed.

46.   As per claim 20, Ono teaches a gateway for converting a message format, comprising:

a first connection device for producing a connection to a rule database (Col. 3, lines 7-21);

a control device connected to said first connection device, said control device being programmed to start and process a selection routine for defining an applicable conversion and processing rule set from a set of conversion and processing rules (Col. 3, lines 7-21, lines 36-43) (which are stored in the rule database) for conversion of the message format; and

a conversion device connected to said control device for forming a conversion control signal from the conversion and processing rule set (Col. 5, lines 11-14, lines 27-40); and

a memory device connected to said conversion device for storing one of the conversion and processing rule set and the conversion control signal (Col. 10, lines 11-14).

47.   Ono does not teach:

optionally for adding supplementary information and optionally for reducing the message by predetermined parts.

48.   Loeb teaches:

optionally for adding supplementary information and optionally for reducing the message by predetermined parts (pg 4, [0054], [0059], [0061]-[0063]; pg 5, [0064]-[0069]).

49.   It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Ono and Loeb because they both dealing with retrieval of information from

databases. Furthermore, the teaching of Loeb to allow optionally for adding supplementary information and optionally for reducing the message by predetermined parts would improve the functionalities and security capabilities for Ono's system by allowing certain parts of message or website to be added or displayed.

50.   As per claim 21, Ono teaches the gateway according to claim 20, wherein said memory device is a first memory device and a second memory device is configured to store at least one selection data record for processing the selection routine (Col. 10, lines 11-15; Col. 3, lines 7-21).

51.   As per claim 22, Ono does not teach the gateway according to claim 20, wherein said connection device is a first connection device and including a second connection device for connection to a device selected from the group consisting of a supplementary information memory, a video signal source, and a terminal communication path.

52.   Loeb teaches the gateway according to claim 20, wherein said connection device is a first connection device and including a second connection device for connection to a device selected from the group consisting of a supplementary information memory, a video signal source, and a terminal communication path (pg 4, [0054], [0059], [0061]-[0063]; pg 5, [0064]-[0069]).

53.   It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Ono and Loeb because they both dealing with retrieval of information from databases. Furthermore, the teaching of Loeb to allow wherein said connection device is a first connection device and including a second connection device for connection to a device selected from the group consisting of a supplementary information memory, a video signal source, and a terminal communication path would improve the functionalities and security capabilities for Ono's system by allowing certain parts of message or website to be added or displayed via another device.

54.   As per claim 23, Ono teaches in combination with a data communications network and a

telecommunications network, the gateway according to claim 20 adapted to convert a message prior to a

transmission thereof between the data communications network and the telecommunications network

(Col. 3, lines 7-21, lines 37-43). The combination of data communications network and

telecommunications network section is rejected for the same reasons as rejection to claim 4 above.

55.   As per claim 24, claim 24 is rejected for the same reasons as rejection to claims 23 and 2 above.

Conclusion

56.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents and publications are cited to further show the state of the art with respect to

"Method of transmitting a message and gateway".

i.	US 6715128	Hirashima et al.
ii.	WO 99/22317	Redmond.
iii.	EU 0583117A2	Ono.
iv.	US 6230132	Class et al.

Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Chad Zhong whose telephone number is (703) 305-0718. The examiner can normally be

reached on M-F 7am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John

A Follansbee can be reached on 703-305-8498. The fax phone numbers for the organization where this

application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238

for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should

be directed to the receptionist whose telephone number is 703-305-3900.

CZ
April 27, 2004

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
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